

Congress of the United States
Washington, DC 20515

February 15, 2005

The Honorable Glenn Fine
Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Kenneth Mead
Inspector General
U.S. Department of Transportation
400 7th Street, SW
Washington, DC 20590

Dear Messrs. Fine and Mead:

We are writing to ask that you investigate your respective Department's roles in the classification and declassification of a 9/11 Commission report of the Federal Aviation Administration's pre-9/11 knowledge of aviation threats. We would like for you to determine whether political motives may have influenced the Bush Administration's decision to declassify it only recently, after the presidential election and after the confirmations of Secretary of State Condoleezza Rice and Attorney General Alberto Gonzales.

Like the Commission's Final Report, this particular report was subject to a classification review by the Bush Administration prior to its release. The report, which allegedly indicates the FAA had warnings that Osama bin Laden and al Qaeda might engage in suicide missions with hijacked aircraft, could not be publicly disclosed until after the Administration determined what information should be withheld. While the report apparently was completed in August 2004, the Administration completed its review only within the past few weeks; the Administration delivered a declassified version to the National Archives in late January or early February of this year. If there were intentional delays, there could have been violations of section 3.1(a) of Executive Order 12958, which provides that "information shall be declassified as soon as it no longer meets the standards for classification under this order."

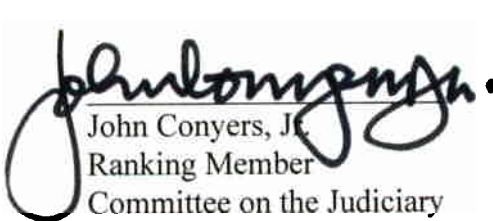
We would like you to determine whether the classification review of the report followed applicable legal requirements governing prompt declassification of information. We ask that you pay particular attention to:

- Memoranda or e-mails to or from the Justice or Transportation Departments that refer to the classification review of the Commission report on the FAA; and
- Memoranda or e-mails to or from the Justice or Transportation Departments that refer to when the review of the Commission report would be or should be completed, including references that it should be delayed or slowed;

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We would appreciate your prompt response to this request and ask that, to the extent necessary, coordinate with non-Justice or non-Transportation Department offices to obtain relevant information. Please reply to us through Ted Kalo of the Judiciary Committee staff; David Heymsfeld of the Transportation and Infrastructure Committee staff; and Phil Barnett of the Government Reform Committee staff.

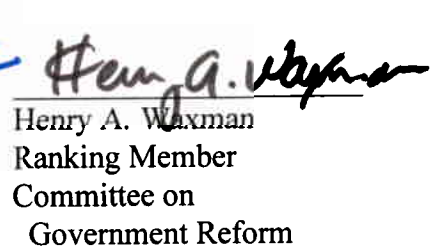
Sincerely,



John Conyers, Jr.
Ranking Member
Committee on the Judiciary



James L. Oberstar
Ranking Member
Committee on
Transportation and
Infrastructure



Henry A. Waxman
Ranking Member
Committee on
Government Reform

cc: Honorable F. James Sensenbrenner, Jr.
Honorable Don Young
Honorable Tom Davis